

PR#9833

WILLIAMS, STEPHEN

3/11/2009

1

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OKLAHOMA
3 STATE OF OKLAHOMA, et al.,

4 Plaintiff,

5 vs.

CASE NO. 05-CV-00329-GKF SAJ

6 TYSON FOODS, INC., et al.,

7 Defendants.

8 VIDEOTAPED DEPOSITION OF STEPHEN WAYNE WILLIAMS
9 TAKEN ON BEHALF OF THE DEFENDANTS
10 ON MARCH 11, 2009, BEGINNING AT 9:30 A.M.
11 IN OKLAHOMA CITY, OKLAHOMA

12 APPEARANCES:

13 On behalf of the PLAINTIFF:

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ALSO PRESENT: Stephen Carns, Videographer

Reported by: Laura L. Robertson, CSR, RPR

EXHIBIT

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1 bottom there is some Bates numbered references, some
2 interesting numbers. If you will look at ODEQ
3 106002078.

4 A. What is the number?

5 Q. Which is the page I think right behind the
6 one you have.

7 A. Okay.

8 Q. Looking at the first paragraph, it sites
9 that the Oklahoma -- it is about the third line down
10 in that paragraph. "The Oklahoma Tourism and
11 Recreation Department is hereby granted this permit to
12 operate a non-industrial wastewater land application
13 at Tenkiller State Park," and it says, "This will be
14 operated in accordance with the operation plan, which
15 was approved on March 10th, 2003." Do you see that?

16 A. Yes.

17 Q. Looking down at the bottom, the last line,
18 and it is bullet number 2 --

19 A. Uh-huh.

20 Q. -- says that, "The permit is valid for five
21 years from the date of issuance?"

22 A. Uh-huh.

23 Q. Do you know whether or not you have a more
24 recent permit to land apply since March 10th, 2003?

25 A. Not to my knowledge.

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1 Q. Do you know whether you have applied for a
2 permit?

3 A. I do not know.

4 Q. Would you have been involved in that
5 application process?

6 A. That most likely would have came from
7 Division of State Parks. I don't think I would have
8 been.

9 Q. Would you have been provided a copy of the
10 permit if one had been --

11 A. I should have been provided one, if it had
12 been done, yes, ma'am.

13 Q. Are you aware of whether any land
14 application of wastewater has occurred since March
15 10th, 2008?

16 A. I am not sure how the engineer defines what
17 we currently do.

18 Q. Okay.

19 A. I'm not sure if that's considered land
20 application. I don't think it is.

21 Q. Do you mean the irrigation of the effluent?

22 A. Where it sprayed on the interior dikes and
23 it is aerated. I don't believe that's considered to
24 be land application.

25 Q. Do you know whether any land application has

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1 occurred at Lake Tenkiller State Park since the
2 renovation?

3 A. None. I do know that. All of that
4 equipment has been taken out of service and removed.

5 Q. Let's have you look at what I'm going to
6 mark as Exhibit 9 to your deposition.

7 (Defendant's Exhibit 9 marked for
8 identification)

9 A. Okay.

10 Q. And I just want to use this to verify that
11 since the one land application of sludge, no other
12 sludge has been land applied or taken from Lake
13 Tenkiller, taken from Lake Tenkiller sewage lagoons?

14 A. Not to my knowledge, no.

15 Q. And that permit that's referenced in Exhibit
16 9 is for the one time application; correct?

17 A. As far as I know, yes, ma'am.

18 (Defendant's Exhibit 10 marked for
19 identification)

20 Q. Let me hand you what I'm marking as Exhibit
21 10 to your deposition. Have you reviewed that?

22 A. Yes, ma'am, I have.

23 Q. Looking at Exhibit 10, this is a self
24 reporting form for wastewater bypass from Tenkiller
25 State Park; correct?